

REMARKS

Claims 1, 3, 4, and 7-42 are currently pending in the Subject Application, of which claims 1, 41, and 42 are independent claims. Claims 1, 3, 4, 17, 41, and 42 have been amended, and claims 2, 5, and 6 have been canceled without disclaimer or prejudice. Applicants submit that support for the amendments to independent claims 1, 41, and 42 can be found throughout the specification and drawings of the Subject Application.

For at least the following reasons, applicants respectfully request reconsideration of the rejections set forth in the Office Action and allowance of all pending claims.

35 U.S.C. §101 Rejections

In the Office Action, claims 1-40 stand rejected under 35 U.S.C. §101 because the claimed invention is purportedly directed to non-statutory subject matter. Applicants have amended independent claim 1 to address this rejection. Applicants submit that, in view of the amendments made to independent claim 1, claims 1, 3, 4, and 7-40 are directed to statutory subject matter.

35 U.S.C. §102 Rejections

A claim rejection based on anticipation under §102 requires that a single prior art reference disclose each and every element of the claimed invention. *See* MPEP § 2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is disclosed in a single prior art reference). Claims 1-5, 8-10, 15, 29, 36-37, and 41-42 stand rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent Application Publication

No. 2002/0065752 to Lewis ("Lewis '752"). For at least the following reasons, applicants submit that Lewis '752 fails to anticipate claims 1, 3, 4, 8-10, 15, 29, 36-37, and 41-42, because Lewis '752 does not disclose each and every element recited therein.

Amended independent claim 1 recites:

In a financial institution, a method for managing corporate action information of at least one entity, said method comprising:

using a computer-implemented corporate action processing system for:

receiving data associated with at least one corporate action of at least one of said entities;

matching at least a portion of said corporate action data to at least one client of the financial institution;

generating at least one notification including at least a portion of said corporate action data;

performing at least one workflow management activity in connection with generating said notification including said corporate action data; and,

electronically communicating through a network:

said notification to at least one recipient of said corporate action data;

at least one additional notification to said recipient subsequent to said communicating first said notification; and,

said additional notification to said recipient in association with at least one change made by a user to at least a portion of said corporate action data. (emphasis added)

Amended independent claim 41 recites:

In a financial institution, a system for managing corporate action information of at least one entity, said system comprising:

at least one server configured for receiving data associated with at least one corporate action of at least one of said entities;

at least one software module configured for matching at least a portion of said corporate action data to at least one client of the financial institution;

at least one software module configured for generating at least one notification including at least a portion of said corporate action data;

at least one software module configured for performing at least one workflow management activity in connection with generating said notification including said corporate action data;

said server configured for:

communicating said notification to at least one recipient of said corporate action data;

communicating at least one additional notification to said recipient subsequent to said communicating first said notification; and,

communicating said additional notification to said recipient in association with at least one change made by a user to at least a portion of said corporate action data, wherein said change made by said user comprises an update to first said notification and is ranked based on the importance of said update; and,

at least one software module configured for generating a master announcement summary page for reviewing said change to said corporate action data. (emphasis added)

Amended independent claim 42 recites:

In a financial institution, a computer-readable medium including instructions for performing a method for managing corporate action information of at least one entity, said medium comprising:

instructions for receiving data associated with at least one corporate action of at least one of said entities;

instructions for matching at least a portion of said corporate action data to at least one client of the financial institution;

instructions for generating at least one notification including at least a portion of said corporate action data;

instructions for performing at least one workflow management activity in connection with execution of said instructions for generating said notification including said corporate action data;

instructions for communicating said notification to at least one recipient of said corporate action data;

instructions for communicating at least one additional notification to said recipient subsequent to said communicating first said notification;

instructions for communicating said additional notification to said recipient in association with at least one change made by a user to at least a portion of said corporate action data, wherein said change made by said user comprises an update to first said notification and is ranked based on the importance of said update; and,

instructions for providing a master announcement summary page for reviewing said change to said corporate action data.
(emphasis added)

First, Lewis '752 does not disclose or suggest electronically communicating an ***additional notification*** to at least one recipient in ***association with at least one change made by a user to at least a portion of corporate action data***, as recited, among other things, in amended independent claim 1, for example. The Subject Application at paragraph [0121] discloses that "a notification text page is provided that allows the user 8 to view and modify the text portion of the notification document that is sent to the local market contacts 8C. The user 8 can type, copy, or paste text or other information directly into this area. In addition, the user 8 can tell the system 6 whether or not to include this announcement in the automatic notification processing." The

substance of these features was initially presented in dependent claim 6, which is now incorporated into amended independent claim 1.

In rejecting dependent claim 6, the Office Action states:

As per claim 6, Lewis discloses all elements of the claimed invention, but fails to expressly disclose communicating said additional notification in association with at least one change to said corporate action data.

Examiner takes Official Notice that it is old and well known in the art to notify a client if there has been a change in a corporate action. For example, if announced stock dividends are going to be a different amount, investors would be notified of the change.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the additional notification of Lewis to include notifying due to a change in a corporate action as taught by Examiner's Official Notice in order to keep the clients up to date on relevant information.

According to MPEP §2144.03, taking "Official Notice" without documentary evidence to support a conclusion is permissible only in limited circumstances. Official notice unsupported by documentary evidence should only be taken by the Examiner where the facts asserted to be well-known or to be common knowledge in the art are capable of "instant and unquestionable demonstration" as being well-known. (See MPEP §2144.03(A) quoting *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970)). Also, "[i]t is never appropriate to rely solely on common knowledge in the art without evidentiary support in the record as the principal evidence upon which a rejection was based." (See MPEP §2144.03(E) quoting *Zurko*, 258 F.3d at 1386, 59 USPQ2d at 1697; *Ahlert*, 424 F.2d at 1092, 165 USPQ 421.). Therefore, applicants respectfully submit that it is not appropriate for the Examiner to take official notice of facts in the Office Action without citing a prior art reference, and especially in those instances in

which the facts asserted to be “well known” are not capable of instant and unquestionable demonstration.

While applicants disagree with the Office Action’s position with respect to taking Official Notice, the Office Action’s rejection still does not provide all elements of amended independent claims 1, 41, and 42. The Office Action takes Office Notice that investors would be notified of a **change in a corporate action announcement**, but does not provide any reference or teaching disclosing communicating an additional notification to at least one recipient **in association with at least one change made by a user to at least a portion of corporate action data**. Applicants submit that this feature is not obvious in view of the Examiner’s Official Notice taken in connection with rejecting dependent claim 6. Further, this feature is not disclosed or suggested by Lewis ‘752, as Lewis ‘752 merely discloses that “the alert manager tracks to whom alerts have been sent, and whether a response has been received, and when to send an additional ‘reminder’ alert(s)” (see Lewis ‘752, paragraph [0127]). Neither Lewis ‘752 nor any other references cited in the Office Action, either alone or in combination, discloses or suggests communicating an additional notification to at least one recipient in association with at least one change made by a user to at least a portion of corporate action data. Amended independent claims 41 and 42 both recite, among other things, similar recitations as amended independent claim 1.

Second, Lewis ‘752 does not disclose or suggest communicating an additional notification to at least one recipient in association with at least one change made by a user to at least a portion of corporate action data, wherein the **change made by the user** comprises **an update to a first notification and is ranked based on the importance of the update**, as recited,

among other things, in amended independent claim 41, for example. The Subject Application at paragraph [0054] discloses that “the administration tool 6E of the corporate action processing system 6 permits certain users 8 to define what change information comprises an update to an announcement and what level of importance should be assigned to the update.” Neither Lewis ‘752 nor any of the other references cited in the Office Action, either alone or in combination, discloses or suggests such recitations. Amended independent claim 42 recites, among other things, similar recitations as amended independent claim 41.

Third, Lewis ‘752 does not disclose or suggest generating a master announcement summary page for reviewing a change to corporate action data as recited, among other things, in amended independent claim 41, for example. The Subject Application discloses this recitation at least in original dependent claims 26 and 28 and paragraph [0079]. In an attempt to locate this recitation, the Office Action recites:

As per claim 26, Lewis discloses all elements of the claimed invention, but fails to expressly disclose generating at least one master announcement summary page in association with said corporate action data.

Knegendorf et al. teaches a method for distributing product hazard information with a summary page of notifications (page 8, paragraph 0087).

From this teaching of Knegendorf et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method for managing corporate action data of Lewis to include a summary page as taught by Knegendorf et al. in order to summarize all information in one location.

As per claim 28, Lewis discloses all elements of the claimed invention, but fails to expressly disclose using said master announcement summary page for reviewing at least one change to said corporate action data.

Knegendorf et al. teaches a method for distributing product hazard information where the summary page is reviewed (page 8, paragraph 0087).

From this teaching of Knegendorf et al. it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method for managing corporate action data of Lewis to include reviewing the

summary page as taught by Knegendorf et al. in order to go over any changes that may have occurred.

Applicants respectfully submit that Knegendorf simply does not disclose or suggest a software module configured for generating a master announcement summary page for reviewing a change by made a user to a portion of corporate action data, as recited in amended independent claim 41, for example. On the contrary, Knegendorf discloses a summary 512 of hazards associated with various products (see Knegendorf, paragraph [0087]). Applicants submit that the summary 512 of Knegendorf is not the same as the claimed master announcement summary recited in amended independent claim 41 for reviewing **a change by made a user to a portion of corporate action data**. In fact, a summary in the field of product hazard information is completely non-analogous to a summary in the field of corporate action data and would clearly not provide similar information to a reviewer. Further, a person of ordinary skill in the corporate action announcement arts would not be motivated to look to a product hazard summary. Amended independent claim 42 recites, among other things, similar recitations as independent claim 41.

For at least the reasons advanced above, applicants submit that Lewis '752 fails to disclose each and every element of amended independent claims 1, 41, and 42. *See MPEP § 2131.* For analogous reasons, applicants therefore submit that claims 3, 4, 8-10, 15, 29, and 36-37 are not anticipated or rendered obvious by Lewis '752. Applicants further submit that claims 11-14, 16-28, 30-35, and 38-40 are not anticipated or rendered obvious by Lewis '752 by virtue of their dependence from amended independent claim 1, and on their own merits. None of the other references cited in the Office Action remedy the above-discussed deficiencies of Lewis' 752.

Miscellaneous

Applicants respectfully submit that the dependent claims currently pending in the Subject Application are allowable at least by virtue of their dependency from allowable independent claims. Applicants reserve the right, however, to make supplemental arguments as may be necessary, because the dependent claims of the Subject Application include additional features that further distinguish the claims from the cited references. A detailed discussion of these distinctions is believed to be unnecessary at this time in view of the fundamental distinctions already set forth in the above remarks.

SUMMARY

Based on the foregoing remarks, applicants respectfully request reconsideration and allowance of all pending claims of the Subject Application. To expedite review and processing of the Subject Application, applicants request that the Examiner direct any questions or issues associated with the present response to the undersigned representative by telephone or e-mail.

Respectfully submitted,



Michael D. Lazzara
Reg. No. 41,142

K&L GATES LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, Pennsylvania 15222-2312

Telephone: (412) 355-8994
Fax: (412) 355-6501
E-mail: michael.lazzara@klgates.com